

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re:	Manos	Confirmation No.:	4425
Appl. No.:	10/606,946	Group Art Unit:	1762
Filed:	June 26, 2003	Examiner:	W. Fletcher
For:	LOWER ALKYL CARBOXYLIC ACID MOIETIES FOR PREVENTING OXIDATIVE CORROSION OF METALS AND ORGANOLEPTIC STABILIZER FOR FOOD AND BEVERAGES		

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO RESTRICTION REQUIREMENT

This is in response to the Office Action dated March 22, 2006, in which the Examiner has required restriction between Group I (Claims 1-30); Group II (Claims 31-34); Group III (Claims 35-59 and 66-69); Group IV (Claims 60-65); and Group V (Claim 70). Applicant hereby elects with traverse to prosecute the claims of Group I (Claims 1-30) and expressly reserves the right to file divisional applications or take such other appropriate measures deemed necessary to protect the inventions in the remaining claims.

Applicant respectfully points out that, according to MPEP, Section 803, for a proper restriction requirement between patentably distinct inventions, (A) the inventions must be independent or distinct as claimed, and (B) there must be a serious burden on the Examiner if restriction is required. An Examiner must provide reasons and/or examples to support his conclusions. Further, a serious burden on the Examiner may be *prima facie* shown if the Examiner shows, with appropriate explanation, a separate classification, a separate status in the art, or a different field of search. Applicants hereby traverse this restriction requirement and respectfully submit there has been no *prima facie* establishment of a serious burden on the Examiner. Groups I, II, and IV have been cited by the Examiner as being classified in class 427, subclass 407.1. Accordingly, Applicant submits it would actually be less of a burden on the Examiner to consider all of Groups I, II, and IV while performing a single search rather than conducting three, separate searches, all in the same class/subclass. Accordingly, Applicants respectfully submit at least Groups I, II, and IV should be examined simultaneously.

Should the Examiner have further questions or comments with respect to examination of this case, it is respectfully requested that the Examiner telephone the undersigned so that further examination of this application can be expedited.

Appl. No.: 10/606,946
Amendment dated September 22, 2006
Reply to Restriction Requirement of March 22, 2006

It is not believed that extensions of time or fees for net addition of claims are required, beyond those, which may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 CFR §1.136(a), and any fee required therefore (including fees for net addition of claims) is hereby authorized to be charged to Deposit Account No. 16-0605.

Respectfully submitted,

/rcagle/

Ryan W. Cagle
Registration No. 47,468

CUSTOMER NO. 00826
ALSTON & BIRD LLP
Bank of America Plaza
101 South Tryon Street, Suite 4000
Charlotte, NC 28280-4000
Tel Raleigh Office (919) 862-2200
Fax Raleigh Office (919) 862-2260

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